UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,215	10/30/2000	John K. Hughes	SYM-16	9461

30636 7590 08/25/2004

FAY KAPLUN & MARCIN, LLP
150 BROADWAY, SUITE 702
NEW YORK, NY 10038

EXAMINER	
DAVIS, TEMICA M	

ART UNIT	PAPER NUMBER
2681	14

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/702,215	HUGHES ET AL.	
	Examiner	Art Unit	
	Temica M. Davis	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 June 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed June 7, 2004 have been fully considered but they are not persuasive.

Applicant argues that neither Renko nor Siddiqui discloses sending a probe communication message on the communication channel in response to finding the communication channel when scanning. Applicant further argues that Siddiqui fails to disclose wherein a mobile station (MS) is capable of performing a scanning function.

In regards to the first argument, for further clarification, the examiner would like to point out that Renko was used to show that a MS performs a scanning function to find a communication channel (col. 3, lines 32-51). In response to scanning and finding a channel, the MS receives country specific information from the channel, such country specific information being mobile country code information (col. 3, lines 51-63). In this case, the reception of the country-specific information is "automatic". Therefore, Renko, taken alone, already discloses the scanning functionality. As stated in the previous office action, Renko fails to disclose wherein such information is sent based upon a request from the MS.

Regarding the second argument, Siddiqui was only brought in to show an alternate method (instead of the "automatic" method described above) in which a MS, could receive country-specific information in a reply message in response to a probe message (i.e., location update message) (col. 3, lines 23-40),

As such, Renko, taken in reasonable combination with Siddiqui discloses sending a probe communication message on the communication channel in response to finding the communication channel when scanning.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 2, 4-11, 13-15, 17-24, 26-28, 30-40, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renko et al (Renko), U.S. Patent No. 6,148,203 in view of Siddiqui et al (Siddiqui), U.S. Patent No. 6,292,666.

Regarding claims 1, 14 and 27, Renko discloses a universal remote terminal/method/system for use in wireless local area networks in a plurality of countries, each country having particular communications specifications for operating wireless local area networks in that country, the terminal comprising circuitry configured to: scan to find a communications channel carrying a communication for a nearby wireless local area network (col. 3, lines 32-46); receive country-specific information from a transmitter in a particular country (col. 3, lines 51-67); and adapt to that country's communications specifications to suitably operate in wireless local area networks in that country in response to receiving the country-specific information (col. 3, lines 58-67 and col. 6, lines 1-7).

Renko, however, fails to disclose wherein the country-specific information is received in a reply message sent in response to the remote terminal sending a probe message.

In a similar field of endeavor, Siddiqui discloses a system and method for displaying the country on mobile stations within satellite systems. Siddiqui further discloses a mobile station that receives country-specific information in response to sending a location update message (col. 3, lines 23-40).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Renko with the teachings of Siddiqui since, as demonstrated in the art, it is well known to send country-specific information to a mobile station in response to a message received from a mobile station in order for the mobile station to determine where it is located to ensure the operation of the mobile station is according to the standards of a specific geographic region.

Regarding claims 2, 15 and 28, the combination of Renko and Siddiqui discloses the universal remote terminal/method system of claims 1, 14 and 27 wherein the remote terminal is mobile and handheld, and the remote terminal comprises wireless-network-interface resources comprising the circuitry (Renko, col. 2, lines 25-34).

Regarding claims 4, 17 and 30, the combination of Renko and Siddiqui discloses the universal remote terminal/method system of claims 1, 14 and 27 wherein the circuitry that is configured to scan is configured to scan frequencies for a broadcast transmission (Renko, col. 3, lines 51-67).

Regarding claims 5, 18 and 31, the combination of Renko and Siddiqui discloses the universal remote terminal/method system of claims 4, 14 and 30 wherein the circuitry that is configured to scan is configured to scan for the broadcast transmission when the terminal seeks to associate with a new access point (Renko, col. 5, lines 58-67).

Regarding claims 6, 19, 20, 32 and 33, the combination of Renko and Siddiqui discloses the universal remote terminal/method system of claims 1, 14 and 27 in which an access point comprises the transmitter, wherein the circuitry that is configured to scan in configured to scan a plurality of channels to receive a broadcast transmission when seeking to associate with a new access point; the circuitry is configured to receive a broadcast transmission on one of the channels; and the circuitry that is configured to send the probe communications message is configured to send the probe communications message requesting country-specific information on the one channel in response to receiving the broadcast transmission (Renko, col. 3, lines 51-67 and col. 5, lines 58-67 and Siddiqui, col. 4, lines 16-48).

Regarding claim 7, the combination of Renko and Siddiqui discloses the universal remote terminal of claim 6 wherein the circuitry is configured to scan channels on which the terminal is operable (Renko, col. 2, line 50-col. 3, line 31).

Regarding claim 8, the combination of Renko and Siddiqui discloses the universal remote terminal of claim 1 wherein the circuitry is configured to include a database of communications specifications for a plurality of countries (Renko, col. 3, lines 50-63; figure 1).

Regarding claim 9, the combination of Renko and Siddiqui discloses the universal remote terminal of claim 1 wherein the circuitry is configured to receive the reply communications message comprising country-specific information on that country's communications specification from the transmitter (Renko, col. 5, line 58-col. 6, line 7).

Regarding claim 10, the combination of Renko and Siddiqui discloses the universal remote terminal of claim 9 wherein the circuitry is configured to receive the reply communications message comprising country-specific information comprising a particular set of frequency channels on which wireless local area networks in that country are to operate (Renko, col. 3, lines 51-67 and col. 5, line 58-col. 6, line 7).

Regarding claim 11, the combination of Renko and Siddiqui discloses the universal remote terminal of claim 9 wherein the circuitry is configured to: be operable on a plurality of channels; receive country-specific information on a particular subset of the plurality of channels on which local area networks in that country are to operate (Renko, col. 5, line 58-col. 6, line 7).

Regarding claims 13, 26, 39 and 42, the combination of Renko and Siddiqui discloses the terminal/method/system of claims 1, 14, 27 and 40 and further discloses wherein the circuitry in the terminal is adapted to receive country specific information on a country's name in a communications message (Siddiqui, col. 3, lines 1-40).

Regarding claims 21, 34 and 43, the combination of Renko and Siddiqui discloses the universal remote terminal/method/system of claims 14, 27 and 40 further

comprising a database of communications specifications for a plurality of countries at the remote terminal (Renko, col. 3, lines 32-67 and col. 4, lines 36-63).

Regarding claims 22 and 35, the combination of Renko and Siddiqui discloses the method/system of claims 14 and 27 wherein said receiving comprises receiving country-specific information on that country's communications specification from the transmitter (Renko, col. 3, lines 58-67).

Regarding claims 23 and 36, the combination of Renko and Siddiqui discloses the method/system of claims 22 and 35 wherein said receiving comprises receiving country-specific information comprising information on a particular set of frequency channels on which wireless local area networks in that country are to operate (Renko, col. 3, line 51-col. 4, line 18).

Regarding claims 24 and 37, the combination of Renko and Siddiqui discloses the method/system of claims 22 and 35 comprising using a plurality of channels to communicate in different countries; and said receiving comprises receiving country-specific information on a particular subset of the plurality of channels on which wireless local area networks in that country are to operate (Renko, col. 3, line 51-col. 4, line 18).

4. Claims 3, 12, 16, 25, 29, 38 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renko, Siddiqui and further in view of Haartsen, U.S. Patent No. 6,574,266.

Regarding claims 3, 16 and 29, the combination of Renko and Siddiqui discloses the universal remote terminal/method/system of claims 1, 14 and 27 as described above.

The combination, however, fails to disclose wherein the terminal is a desktop personal computer having wireless-network-interface resources.

In a similar field of endeavor, Haartsen discloses a base station-assisted terminal-to-terminal connection setup. Haartsen further discloses a system that utilizes desktop personal computers having wireless-network-interface resources used in scanning to find channels in order to operate in a WLAN (col. 1, lines 14-44, col. 7, lines 23-34, col. 11, lines 14-41 and col. 12, lines 28-49).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the combination of Renko and Siddiqui with the teachings of the desktop personal computers having wireless-network-interface resources in Haartsen since such devices are widely known and used in the telecommunications industry.

Regarding claims 12, 25, 37 and 41, the combination of Renko and Siddiqui discloses the terminal/method/system of claims 1, 14, 35 and 40 as described above. The combination, however, fails to disclose wherein the terminal/method/system operate in conjunction with Spread Spectrum technology.

Haartsen discloses a base station-assisted terminal-to-terminal connection setup method which uses Spread Spectrum technology.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the combination of Renko and Siddiqui with the Spread Spectrum

technology taught in Haartsen since Spread Spectrum is a well known technique used to increase system capacity.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Temica M. Davis
Examiner
Art Unit 2681

August 22, 2004

TEMICA M. DAVIS
PATENT EXAMINER